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Remarks

Claims 1, 2, 5-8, 11-13 and 17-20 are pending in the application. Claims 1, 2, 5-8, 11-13 and 17-20 are rejected. Reconsideration and allowance of all pending claims are requested in view of the remarks below.

Claim Rejections under 35 U.S.C. §102

Claims 6-8 and 11-13 are rejected under 35 U.S.C. §102(e) as being anticipated by Fields (US 6,347,943). Applicant traverses this rejection in view of the remarks below.

The Office Action asserts that it would have been an inherent feature of Fields' invention to have a definition file comprising answers that is separate from source code for a web page and thereby unavailable to the user, citing column 4, lines 47-57 and column 5, lines 47-59, of Fields. Applicant disputes this assertion, noting that Fields does not discuss making the answers unavailable to the user.

Applicant notes that column 4, lines 47-57 merely notes that a server may hold knowledge base material, such as authored instructional content and research library documents. Fields notes that files related to the user interface, such as Java class files can reside either on the client or server side if the system of Fields is set up on an intranet network. At lines 55-57, Fields notes that if the system is set up on an internet network, then class files and data files both reside on the server side.

Although Fields notes options for locations of files, there is no mention of limiting access by the user to a definition file having the correct answer. Therefore, even if the source code for a Web page is located on the server and downloaded to the client, the correct answer may included in the source code. As such, this would not teach a

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definition file separate from a source code for a web page to prevent the user from obtaining the correct answer by viewing the source code.

Column 5, lines 47-59 discusses templates for use by an author in creating assessment or learning mechanism pages. However, such an arrangement does not preclude the incorporation of correct answers in the source code for the Web page. In view of the above remarks, Fields does not teach locating a definition file separate from a source code for a web page to prevent the user from obtaining the correct answer by viewing the source code, as recited in claim 6. Similarly, Fields does not teach a definition file, included in an applet and unavailable to a user, indicating the correct answer for a question, the definition file being separate from the html code to prevent the user from retaining the correct answer by looking at the html code, as recited in claim 11. In view of the above remarks, Fields is insufficient to anticipate claim 6 or 11. Claims 7-8 and 12-13 are patentable at least by way of their dependencies from claim 6 or 11.

Claim Rejections under 35 U.S.C. §103

Claims 1-2, 5 and 17-20 are rejected under 35 U.S.C. §103(a) as being unpatentable over Fields in view of Fong et al. (US 5,219,291). Applicant traverses this rejection.

It is not clear from Fields, or from the Office Action, how Fields would know a response to a question is correct or incorrect at the time of submission by the user. Fields provides an assessment mechanism that presents the user with a series of assessment pages. Each assessment page may include a multiple choice question, a fill in the blank question, or any other data structure to which a response from a user is required. See column 2, lines 39-42. As discussed in greater detail at column 2, lines 36-56, after a

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user completes navigating through a series of assessment pages of an assessment mechanism, the assessment mechanism determines which assessment tools were responded to incorrectly by the user. Because Fields discloses, in column 2, that responses from the user are not evaluated until the user completes navigating through the assessment mechanism, e.g. a series of pages, a user responds to multiple questions before the responses are evaluated. For at least this reason, Fields is unable to teach or suggest a configuration in which a correct answer can automatically be provided in a text box after user surpasses a predetermined number of attempts, as recited in claims 1, 5 and 17. ✓

Applicant notes that Fields at column 7, lines 14-19, discloses that if a user answers a question, the user has the option of validating the answer immediately. If the user chooses the validation, the assessment mechanism displays the correct answer accompanied by a short explanation in the feedback region. Applicant submits that even this teaching is insufficient to teach or suggest all the limitations of claims 1, 5 or 17. Specifically, Fields requires a user to choose validation of the answer. As such, Fields does not teach or suggest automatically providing a correct answer in the text box after the user surpasses a predetermined number of attempts. As noted above, unless the user intervenes, the user may simply enter an incorrect answer that would not be reviewed at the time to determine whether it is correct or incorrect, thereby thwarting taking action after a predetermined number of incorrect attempts. Further, Fields does not automatically provide a correct answer, as the user must choose the option of validating the answer.

Fong provides an electronic educational video system apparatus. The office action cites column 6, line 67 to column 7, line 2. Applicant notes that this portion of

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Fong indicates that if a correct response is not provided after three attempts, the correct answer will appear in place of the question mark. Applicant notes that the corresponding text explaining this mode of operation, beginning at column 6, line 39, appears to only use a question mark, or discuss a question mark, in relation to a menu of five possible activities from which the child user is prompted to select one of the activities. As such, Fong does not teach or suggest automatically providing a correct answer in a text box in which a user entered an answer to the question, as recited in claim 1, 5 and 17. As such, Fong does not overcome the deficiencies noted above of Fields and is insufficient, alone or in combination, to support a rejection of claims 1, 5 or 17. Applicant submits that claims 2 and 18-20 are patentable at least by way of their dependency from claim 1 or 17.

Applicant further objects to the combination of Fields and Fong, as the references and the Office Action do not suggest the desirability of the combination. The mere fact that references can be combined or modified does not render the resultant combination obvious unless the prior art also suggests the desirability of the combination. *In re Mills*, 916 F.2d 680, 16 USPQ2d 1430 (Fed. Cir. 1990). See also MPEP § 2143.01.

Furthermore, in view of the above remarks in which Fields does not evaluate responses as they are submitted would not lend itself to combination with Fong. To properly combine references, an objective teaching leading to the combination must be shown. *In re Dembiczak*, 175 F.3d 994 (Fed. Cir. 1999). "The showing must be clear and particular.... Broad conclusory statements regarding the teaching of multiple references, standing alone, are not 'evidence.'" *Id.*


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Conclusion

In view of the remarks set forth above, it is respectfully submitted that this application is in condition for allowance. Accordingly, allowance is requested. If there are any remaining issues or the Examiner believes that a telephone conversation with the Applicant's attorney would be helpful in expediting prosecution of this application, the Examiner is invited to call the undersigned at (617) 227-7400.

Respectfully submitted,

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